

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Misc. No.70556-M of 2006

DATE OF DECISION:25.1.2007

Surjit Kumar & Ors.

.....Petitioners

Versus

State of Punjab

.....Respondent

CORAM:- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

Present:- Shri Rakesh Kumar, Advocate
for the petitioners.

Shri N.S. Gill, AAG, Punjab.

The Petitioners, apprehending their arrest in a non-bailable offence in case FIR No. 125 dated 28.6.2006 under Sections 323,324,342,452,148,149 and 326 IPC, registered at Police Station City Kapurthala, District Kapurthala, have filed this petition under Section 438 Cr.P.C. for anticipatory bail.

I have heard counsel for the parties and gone through the contents of the FIR.

Counsel for the petitioners contends that the petitioners and the complainant are close relatives. It is contended that even as per the FIR, though the petitioners were stated to be armed with a base ball bat, iron rod and datar, no injury has been attributed to them. The main injury is attributed to one Atma Ram.

Counsel for the petitioner further contends that in view of the order dated 13.11.2006, the petitioners have joined the investigation. Counsel for the respondent-State on instructions from Bachan Dass, ASI does not dispute this fact and further states that the petitioners are no more required for custodial interrogation.

In view of the above, the interim bail, granted vide order dated 13.11.2006 is made absolute subject to the same terms and conditions.

Disposed of accordingly.

January 25, 2007
pooja

(SATISH KUMAR MITTAL)
JUDGE